

FORTY-SEVENTH DAY

(Monday, April 5, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hartzog
Adkins	Heflin
Alexander	Herzik
Alsup	Holland
Amos	Hoskins
Baker	Huddleston
Bates	Hull
Beckworth	Hyder
Bell	Jackson
Blankenship	James
Boethel	Johnson of Ellis
Bond	Johnson
Boyer	of Tarrant
Bradbury	Jones of Angelina
Bradford	Jones of Atascosa
Bridgers	Jones of Falls
Broadfoot	Jones of Wise
Brown	Keefe
Burton	Keith
Cagle	Kelt
Callan	Kenyon
Carssow	King
Cathey	Knetsch
Cauthorn	Langdon
Celaya	Lankford
Cleveland	Lanning
Colquitt	Leath
Davis of Haskell	Deonard
Davis of Jasper	Leyendecker
Davison of Fisher	Little
Davisson	Loggins
of Eastland	London
Dean	Lucas
Deglandon	Mann
Derden	Mauritz
Dickison	Mays
Dollins	McConnell
England	McCracken
Farmer	McDonald
Felty	McFarland
Fielden	McKee
Fox	McKinney
Gibson	Metcalfe
Graves	Moffett
Hamilton	Monkhouse
Hankamer	Morris
Hanna	Morse
Harbin	Newton
Hardin	Nicholson
Harper	Oliver
Harrell	Palmer
Harris of Archer	Patterson of Mills
Harris of Dallas	Patterson
Harris of Dickens	of Travis

Pope	Smith of Hopkins
Powell	Smith
Prescott	of Matagorda
Quinn	Smith of Tarrant
Ragsdale	Stevenson
Reader	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tarwater
Riddle	Tennant
Roark	Tennyson
Ross	Thornberry
Russell	Thornton
Rutta	Vale
Schuenemann	Waggoner
Settle	Walker
Sewell	Weldon
Sharpe	Westbrook
Shell	Winfree
Simpson	Wood
Skaggs	Worley

Absent

Howard

Absent—Excused

Fuchs

Petsch

Kern

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business.

Mr. Petsch for today, on motion of Mr. Bell.

Mr. Fuchs for this morning, on motion of Mr. Davis of Haskell.

The following Member was granted leave of absence on account of illness:

Mr. Kern for today and the balance of the week, on motion of Mr. Smith of Hopkins.

HOUSE BILLS ON FIRST READING

Mr. Quinn moved to introduce, at this time, and have placed on first reading, House Bill No. 1060.

The motion prevailed by the following vote:

Yeas—109

Adkins	Blankenship
Alexander	Boethel
Alsup	Bond
Amos	Boyer
Beckworth	Bradbury
Bell	Bradford

Bridgers	Leyendecker	Hull	Patterson
Burton	Little	Jones of Angelina	of Travis
Cagle	Loggins	Jones of Atascosa	Pope
Callan	London	Keefe	Prescott
Carssow	Lucas	Keith	Riddle
Cathey	Mann	Langdon	Rutta
Cauthorn	Mauritz	Leonard	Sewell
Cleveland	Mays	Morris	Smith of Tarrant
Davis of Haskell	McCracken	Palmer	Tennyson
Davison of Fisher	McDonald	Patterson of Mills	Westbrook
Davisson	McFarland	Absent—Excused	
of Eastland	McKee	Fuchs	Petsch
Derden	McKinney	Kern	
Dickison	Metcalf	The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:	
Dollins	Moffett	By Mr. Quinn, Mr. McKee and Mr. Nicholson:	
England	Monkhouse	H. B. No. 1060, A bill to be entitled "An Act to amend House Bill No. 194, Chapter 292, of the Forty-first Legislature at the Regular Session, the same being an Act entitled 'An Act to aid the City of Port Arthur, Texas, situated in Commissioners' Precinct No. 2 of Jefferson County, Texas, in constructing and maintaining sea walls, breakwaters and shore protections in order to protect said city from calamitous overflows,' by extending the provisions of said Act for a period of ten years, and declaring an emergency."	
Farmer	Morse	Referred to the Committee on State Affairs.	
Felty	Newton	Mr. Heflin moved to introduce, at this time, and have placed on first reading, House Bill No. 1061.	
Fielden	Nicholson	The motion prevailed by the following vote:	
Gibson	Oliver	Yeas—128	
Graves	Powell	Adkins	Cathey
Hamilton	Quinn	Alexander	Cauthorn
Hankamer	Ragsdale	Alsup	Celaya
Hanna	Reader	Amos	Cleveland
Harbin	Reed of Bowie	Baker	Colquitt
Hardin	Reed of Dallas	Beckworth	Davis of Jasper
Harper	Rhodes	Bell	Davison of Fisher
Harrell	Roark	Blankenship	Davisson
Harris of Dallas	Schuenemann	Boethel	of Eastland
Harris of Dickens	Settle	Bond	Deglandon
Hartzog	Sharpe	Boyer	Derden
Heflin	Shell	Bradbury	Dickison
Herzik	Simpson	Broadfoot	Dollins
Hoskins	Skaggs	Brown	England
Huddleston	Smith of Hopkins	Burton	Farmer
Hyder	Smith	Cagle	Felty
Jackson	of Matagorda	Callan	Fielden
James	Stevenson	Carssow	Gibson
Johnson of Ellis	Stinson		
Johnson	Stocks		
of Tarrant	Talbert		
Jones of Falls	Tarwater		
Jones of Wise	Tennant		
Kelt	Thornberry		
Kenyon	Thornton		
King	Vale		
Knetsch	Walker		
Lankford	Weldon		
Lanning	Winfree		
Leath	Worley		
Nays—6			
Deglandon	Russell		
McConnell	Waggoner		
Ross	Wood		
Absent			
Baker	Davis of Jasper		
Bates	Dean		
Broadfoot	Fox		
Brown	Harris of Archer		
Celaya	Holland		
Colquitt	Howard		

Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Oliver
Hardin	Patterson of Mills
Harper	Patterson
Harrell	of Travis
Harris of Archer	Pope
Harris of Dallas	Powell
Harris of Dickens	Prescott
Heflin	Quinn
Herzik	Reader
Hoskins	Reed of Bowie
Huddleston	Reed of Dallas
Hull	Rhodes
Hyder	Riddle
Jackson	Roark
James	Russell
Johnson of Ellis	Rutta
Johnson	Schuenemann
of Tarrant	Settle
Jones of Angelina	Sewell
Jones of Atascosa	Sharpe
Jones of Falls	Shell
Jones of Wise	Simpson
Kelt	Skaggs
King	Smith of Hopkins
Langdon	Smith
Lankford	of Matagorda
Lanning	Smith of Tarrant
Leath	Stevenson
Leonard	Stinson
Leyendecker	Stocks
Little	Talbert
Loggins	Tarwater
London	Tennant
Lucas	Tennyson
Mann	Thornberry
Mauritz	Thornton
Mays	Vale
McConnell	Waggoner
McDonald	Walker
McFarland	Weldon
McKee	Westbrook
Metcalf	Winfree
Moffett	Wood
Monkhouse	Worley

Nays—2

Palmer

Ross

Absent

Bates	Howard
Bradford	Keefe
Bridgers	Keith
Davis of Haskell	Kenyon
Dean	Knetsch
Fox	McCracken
Hartzog	McKinney
Holland	Ragsdale

Absent—Excused

Fuchs
Kern

Petsch

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Heflin:

H. B. No. 1061, A bill to be entitled "An Act requiring owners of cattle affected with bang's disease to brand and tag them for identification after they have been tested and found to have such disease, and providing a penalty, and declaring an emergency."

Referred to the Committee on Live Stock and Stock Raising.

Mr. Dickison moved to introduce, at this time, and have placed on first reading, House Bill No. 1062.

The motion prevailed by the following vote:

Yeas—129

Adkins	Harbin
Alexander	Hardin
Alsup	Harper
Amos	Harris of Archer
Baker	Harris of Dallas
Bates	Hartzog
Beckworth	Heflin
Bell	Herzik
Blankenship	Holland
Boethel	Hoskins
Bond	Hull
Boyer	Hyder
Bradbury	Jackson
Bradford	James
Bridgers	Johnson of Ellis
Broadfoot	Johnson
Brown	of Tarrant
Burton	Jones of Angelina
Cagle	Jones of Atascosa
Callan	Jones of Falls
Carssow	Jones of Wise
Cathey	Keith
Cauthorn	Kelt
Celaya	King
Cleveland	Knetsch
Davis of Jasper	Langdon
Davison of Fisher	Lankford
Davisson	Lanning
of Eastland	Leath
Deglandon	Leonard
Derden	Leyendecker
Dickison	Loggins
Dollins	London
England	Lucas
Farmer	Mann
Felty	Mauritz
Fielden	Mays
Gibson	McConnell
Graves	McCracken
Hamilton	McDonald
Hankamer	McFarland
Hanna	McKee

McKinney	Shell
Metcalfe	Simpson
Moffett	Skaggs
Monkhouse	Smith of Hopkins
Morse	Smith
Newton	of Matagorda
Palmer	Smith of Tarrant
Patterson of Mills	Stevenson
Patterson	Stinson
of Travis	Stocks
Pope	Talbert
Prescott	Tarwater
Quinn	Tennant
Ragsdale	Tennyson
Reader	Thornberry
Reed of Bowie	Thornton
Reed of Dallas	Vale
Rhodes	Waggoner
Roark	Walker
Ross	Weldon
Russell	Westbrook
Rutta	Winfree
Schuenemann	Wood
Settle	Worley
Sewell	

Nays—1

Colquitt

Absent

Davis of Haskell	Kenyon
Dean	Little
Fox	Morris
Harrell	Nicholson
Harris of Dickens	Oliver
Howard	Powell
Huddleston	Riddle
Keefe	Sharpe

Absent—Excused

Fuchs	Petsch
Kern	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Dickison, Mr. Carssow, Mr. Hartzog, Mr. Prescott and Mr. James:

H. B. No. 1062, A bill to be entitled "An Act prohibiting Boards of Trustees of all school districts in this State from employing any person as a teacher who has not been a resident of this State one year immediately preceding the date of employment, and declaring an emergency."

Referred to the Committee on Education.

HOUSE JOINT RESOLUTION ON FIRST READING

Mr. Patterson of Travis moved to introduce, at this time, and have

placed on first reading, House Joint Resolution No. 53.

The motion prevailed by the following vote:

Yeas—123

Alsup	King
Amos	Knetsch
Baker	Langdon
Bates	Lankford
Beckworth	Lanning
Bell	Leath
Blankenship	Leonard
Boethel	Leyendecker
Bond	Little
Bradbury	Loggins
Bridgers	London
Broadfoot	Lucas
Brown	Mann
Burton	Mauritz
Cagle	McConnell
Callan	McCracken
Carssow	McDonald
Cathey	McFarland
Cauthorn	McKee
Celaya	Metcalfe
Cleveland	Moffett
Davis of Jasper	Monkhouse
Davison of Fisher	Morris
Davisson	Morse
of Eastland	Newton
Deglandon	Nicholson
Derden	Oliver
Dickison	Patterson of Mills
Dollins	Patterson
England	of Travis
Felty	Pope
Fielden	Powell
Gibson	Prescott
Hamilton	Quinn
Hankamer	Reader
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Riddle
Harris of Archer	Roark
Hartzog	Ross
Heflin	Russell
Herzik	Rutta
Holland	Schuenemann
Hoskins	Settle
Huddleston	Sewell
Hyder	Shell
James	Simpson
Johnson of Ellis	Skaggs
Johnson	Smith of Hopkins
of Tarrant	Smith
Jones of Angelina	of Matagorda
Jones of Atascosa	Smith of Tarrant
Jones of Falls	Stevenson
Jones of Wise	Stinson
Keith	Stocks
Kelt	Talbert
Kenyon	Tennant

Tennyson
Thornberry
Thornton
Vale
Waggoner
Walker

Weldon
Westbrook
Winfree
Wood
Worley

Nays—6

Adkins
Boyer
Colquitt

Farmer
Graves
Harris of Dallas

Absent

Alexander
Bradford
Davis of Haskell
Dean
Fox
Harrell
Harris of Dickens
Howard
Hull

Jackson
Keefe
Mays
McKinney
Palmer
Ragsdale
Sharpe
Tarwater

Absent—Excused

Fuchs
Kern

Petsch

The Speaker then laid the resolution before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Patterson of Travis:

H. J. R. No. 53, Proposing an amendment to Article IX, Section I of the Constitution of the State of Texas by adding thereto a section to be known as Section I (a), providing that adjacent counties may, under such rules as the Legislature may prescribe, consolidate; providing for an election on the question of adoption or rejection of such an amendment and making an appropriation therefor; providing for the proclamation and publication thereof; and prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

HOUSE BILL NO. 67 WITH SENATE AMENDMENTS

Mr. Knetsch moved that the Rule, relative to the making of motions to reconsider, be suspended, at this time, for the purpose of making a motion to reconsider the vote by which the House heretofore refused to concur in Senate amendment to House Bill No. 67, and requested the appointment of a conference committee.

The motion prevailed.

Mr. Knetsch moved to reconsider the vote by which the House refused

to concur in Senate amendments to House Bill No. 67.

Question recurring on the motion to reconsider, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas—21

Boethel	Monkhouse
Broadfoot	Morris
Cagle	Powell
Callan	Quinn
England	Settle
Harris of Dickens	Sharpe
Knetsch	Shell
Mann	Smith
McDonald	of Matagorda
McKee	Stevenson
Metcalf	Tarwater

Nays—112

Alexander	Harris of Dallas
Alsup	Hartzog
Amos	Heflin
Baker	Herzik
Bates	Holland
Beckworth	Hoskins
Blankenship	Huddleston
Bond	Hull
Boyer	Hyder
Bradbury	Jackson
Bridgers	James
Brown	Johnson of Ellis
Burton	Johnson
Carsow	of Tarrant
Cathey	Jones of Angelina
Cauthorn	Jones of Atascosa
Celaya	Jones of Falls
Cleveland	Jones of Wise
Colquitt	Kelt
Davis of Jasper	Kenyon
Davison of Fisher	King
Davisson	Langdon
of Eastland	Lankford
Deglandon	Lanning
Derden	Leath
Dickison	Leonard
Dollins	Leyendecker
Farmer	Loggins
Felty	London
Fielden	Lucas
Fox	Mauritz
Gibson	Mays
Graves	McConnell
Hamilton	McCracken
Hankamer	McFarland
Hanna	McKinney
Harbin	Moffett
Hardin	Morse
Harper	Oliver
Harrell	Palmer
Harris of Archer	Patterson of Mills

Patterson	Smith of Hopkins
of Travis	Smith of Tarrant
Pope	Stinson
Prescott	Stocks
Ragsdale	Talbert
Reader	Tennant
Reed of Bowie	Tennyson
Reed of Dallas	Thornberry
Rhodes	Thornton
Riddle	Vale
Roark	Waggoner
Ross	Walker
Russell	Weldon
Rutta	Winfree
Sewell	Wood
Simpson	Worley
Skaggs	

Absent

Adkins	Keith
Bell	Little
Bradford	Newton
Davis of Haskell	Nicholson
Dean	Schuenemann
Howard	Westbrook
Keefe	

Absent—Excused

Fuchs	Petsch
Kern	

CONFERENCE COMMITTEE ON HOUSE BILL NO. 67

The Speaker announced the appointment of the following conference committee on House Bill No. 67:

Messrs. Knetsch, Stevenson, Tawater, Thornton and Hankamer.

HOUSE BILL NO. 897 RECOMMITTED

Mr. McKinney moved that House Bill No. 897 be recommitted to the Committee on Insurance.

Mr. Amos moved to table the motion by Mr. McKinney.

The motion to table was lost.

Question recurring on the motion to recommit House Bill No. 897, it prevailed.

Mr. McConnell moved to reconsider the vote by which House Bill No. 897 was recommitted to the Committee on Insurance.

Mr. Harris of Dallas moved to table the motion by Mr. McConnell.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—63

Alexander	Knetsch
Beckworth	Leath
Blankenship	Leonard
Boethel	Leyendecker
Bond	Little
Boyer	Loggins
Burton	Mauritz
Callan	Mays
Cathey	McDonald
Celaya	McFarland
Cleveland	Monkhouse
Colquitt	Morse
Davis of Jasper	Nicholson
Davison of Fisher	Patterson
Derden	of Travis
Dickison	Reed of Dallas
England	Riddle
Gibson	Settle
Hamilton	Sewell
Hankamer	Sharpe
Hanna	Smith
Hardin	of Matagorda
Harper	Stevenson
Harris of Archer	Stinson
Harris of Dallas	Stocks
Hoskins	Talbert
Huddleston	Tennant
Jackson	Tennyson
James	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Walker
Kenyon	Wood

Nays—55

Adkins	Jones of Falls
Amos	Jones of Wise
Bell	Kelt
Bradbury	King
Broadfoot	Lankford
Brown	Lanning
Cagle	London
Carssow	Lucas
Cauthorn	Mann
Davison	McConnell
of Eastland	McKee
Deglandon	Metcalfe
Dollins	Moffett
Farmer	Morris
Fielden	Palmer
Graves	Patterson of Mills
Harbin	Prescott
Harrell	Ragsdale
Harris of Dickens	Reader
Heflin	Reed of Bowie
Herzik	Rhodes
Hyder	Roark
Johnson of Ellis	Ross
Jones of Atascosa	Russell

Rutta	Smith of Tarrant
Simpson	Waggoner
Skaggs	Weldon
Smith of Hopkins	Worley

Present—Not Voting

Powell

Absent

Alsop	Keith
Baker	Langdon
Bates	McCracken
Bradford	McKinney
Bridgers	Newton
Davis of Haskell	Oliver
Dean	Pope
Felty	Quinn
Fox	Schuenemann
Hartzog	Shell
Holland	Tarwater
Howard	Westbrook
Hull	Winfree
Keefe	

Absent—Excused

Fuchs	Petsch
Kern	

RELATIVE TO HOUSE JOINT RESOLUTION NO. 34

Mr. Riddle moved that House Joint Resolution No. 34, reported adversely, with a minority favorable report, be printed.

The motion was lost.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication:

Cooper, Texas,
April 3, 1937

Hon. Robert W. Calvert, Speaker of
the House of Representatives.
Austin, Texas

Dear Sir:

May I take this means of expressing my thanks and appreciation to the Members of the House of Representatives for their thoughtfulness in sending the beautiful flowers.

I have missed the association of every Member and shall be looking forward to the time when my health will permit me to be back.

Yours very truly,

TROY E. KERN.

RELATIVE TO THE RESOLUTION PERIOD

On motion of Mr. Beckworth, the House dispensed with the consideration of resolutions, at this time.

RELATIVE TO SENATE CONCURRENT RESOLUTION NO. 1

Mr. McKee moved that the Conference Committee on Senate Concurrent Resolution No. 1 be instructed to report Senate Concurrent Resolution No. 1 to the House immediately.

Mr. Metcalfe raised a point of order, on further consideration of the motion, on the ground that the motion comes too late inasmuch as the conference committee has heretofore been appointed.

The Speaker sustained the point of order.

HOUSE BILL NO. 662 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 662, A bill to be entitled "An Act granting aid to the property and inhabitants of Sabine and San Augustine Counties, Texas, because of the public calamities which have occurred in said Counties by reason of floods and storms which have caused great destruction of property and loss of life; remitting, releasing, granting and donating to said Counties all of said ad valorem taxes for general revenue purposes levied and collected on property in said County, including the rolling stock of railroads for a period of five years, beginning with the taxable year 1937, for the use of said Counties for the purpose of constructing improvements to prevent soil erosion, flood control, irrigation and drainage projects and road building, and providing that said taxes shall be levied, assessed and collected in the manner now provided by law and that the assessor and collector in said Counties shall forward his report to the Comptroller covering said collections and shall pay over to the County Treasurer of said Counties all moneys collected by him at the end of each month except such amounts as may be allowed by law for collecting and assessing such taxes; . . . etc., and declaring an emergency."

The bill having heretofore been read second time.

Mr. Westbrook offered the following amendment to the bill:

Amend House Bill No. 662, by striking out all below the enacting

clause and inserting in lieu thereof the following:

"Section 1. There is hereby donated and granted by the State of Texas to Sabine and San Augustine Counties all of the State ad valorem taxes levied and collected in each respective county for general revenue purposes upon the property and from the persons in each respective county including ad valorem taxes on the rolling stock belonging to railroad companies which shall be ascertained and apportioned as now provided by law for a period of five years beginning with the taxable year, 1937. Said taxes so collected in each of said respective counties shall be used by the County Commissioners' Court of said counties for the following State purposes: constructing flood control works and improvements in said counties for improvements to prevent soil erosion and for soil conservation purposes, for irrigation and drainage projects, reforestation, and road building, improvements and maintenance, and law enforcement. Taxes hereby donated shall be levied, assessed and collected as now provided by law except that the Assessor and Collector of taxes in each respective county shall forward his report to the State Comptroller of Public Accounts as provided by law and shall pay over to the Treasurer of each respective county all moneys collected by him at the end of each month and during the period covered by this donation, except such amounts as now allowed by law for collecting and assessing the same and shall forward a duplicate copy of the receipts given him by the County Treasurer for the said money to the Comptroller.

"Section 2. The intent and purpose of this Act is to donate to the respective counties designated herein that part of the State ad valorem taxes levied and collected in each respective county to be used by said counties for the purposes herein before set out.

"Section 3. That if any section, clause, paragraph or sentence of this Act be declared unconstitutional, it shall not affect the remainder of this Act, and the Legislature hereby declares that it would have passed this Act without such invalid portions.

"Section 4. The fact that the United States Government has purchased over 70% of the land in Sabine

County, and 41% of the land in San Augustine County, thereby taking off the tax rolls of the said counties a very great portion of the valuation in each of said counties rendering them incapable of carrying on a county government, and the further fact that said counties have not and can not recover from the disastrous results instant to the calamitous circumstances hereinbefore enumerated creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall be in full force and effect from and after its passage and it is so enacted."

WESTBROOK,
KEEFE.

Mr. Moffett moved the previous question on the pending amendment, and the passage of House Bill No. 662 to engrossment, and the main question was ordered.

Question first recurring on the pending amendment by Mr. Westbrook, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Question recurring on the engrossment of House Bill No. 662, yeas and nays were demanded.

House Bill No. 662 was passed to engrossment by the following vote:

Yeas—78

Amos	Huddleston
Bates	Hull
Boyer	Hyder
Bradford	James
Brown	Johnson of Ellis
Carssow	Johnson
Cauthorn	of Tarrant
Celaya	Jones of Atascosa
Cleveland	Jones of Wise
Davis of Haskell	Keefe
Davis of Jasper	Kelt
Derden	Kenyon
Dickison	King
Dollins	Lanning
Farmer	Leath
Fox	Leonard
Hankamer	Leyendecker
Harbin	Little
Hardin	Loggins
Hartzog	Lucas
Heflin	Mann
Holland	Mauritz
Hoskins	Mays

McCracken	Schuenemann
McDonald	Sewell
McKinney	Shell
Moffett	Simpson
Monkhouse	Smith
Morse	of Matagorda
Newton	Smith of Tarrant
Oliver	Stevenson
Palmer	Stocks
Patterson of Mills	Talbert
Pope	Thornberry
Prescott	Thornton
Quinn	Vale
Reader	Walker
Rhodes	Weldon
Roark	Westbrook
Rutta	Winfree

Nays—53

Adkins	Jackson
Alexander	Jones of Falls
Alsup	Keith
Baker	Knetsch
Beckworth	Langdon
Bell	Lankford
Blankenship	London
Boethel	McConnell
Bond	McFarland
Bradbury	Morris
Bridgers	Patterson
Burton	of Travis
Callan	Powell
Cathey	Reed of Bowie
Colquitt	Reed of Dallas
Davison of Fisher	Riddle
Deglandon	Ross
England	Russell
Fielden	Settle
Gibson	Sharpe
Graves	Skaggs
Hamilton	Stinson
Hanna	Tennant
Harper	Tennyson
Harris of Archer	Waggoner
Harris of Dallas	Wood
Harris of Dickens	Worley

Present—Not Voting

Herzik

Absent

Broadfoot	Jones of Angelina
Cagle	McKee
Davison	Metcalfe
of Eastland	Nicholson
Dean	Ragsdale
Felty	Smith of Hopkins
Harrell	Tarwater
Howard	

Absent—Excused

Fuchs	Petsch
Kern	

MOTION TO TAKE UP HOUSE
BILL NO. 662

Mr. Westbrook moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 662 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—81

Alsup	Leath
Amos	Leonard
Bates	Leyendecker
Bell	Little
Boyer	Loggins
Bradford	Lucas
Broadfoot	Mann
Brown	Mauritz
Carssow	Mays
Cathey	McCracken
Cauthorn	McDonald
Celaya	McFarland
Cleveland	McKinney
Davis of Haskell	Moffett
Davis of Jasper	Morse
Davison	Newton
of Eastland	Oliver
Derden	Palmer
Dickison	Powell
Dollins	Prescott
Farmer	Quinn
Fox	Ragsdale
Hankamer	Reader
Harbin	Rhodes
Hardin	Roark
Hartzog	Rutta
Heflin	Schuenemann
Holland	Shell
Hoskins	Simpson
Huddleston	Smith
Hull	of Matagorda
Hyder	Smith of Tarrant
Johnson of Ellis	Stevenson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Thornberry
Jones of Atascosa	Thornton
Jones of Wise	Vale
Keefe	Walker
Kelt	Weldon
Kenyon	Westbrook
Lanning	Winfree

Nays—50

Adkins	Bond
Alexander	Bradbury
Beckworth	Bridgers
Blankenship	Burton
Boethel	Callan

Colquitt	Metcalfe
Davison of Fisher	Morris
Deglandon	Nicholson
England	Patterson
Fielden	of Travis
Gibson	Reed of Bowie
Graves	Reed of Dallas
Hamilton	Riddle
Hanna	Ross
Harris of Archer	Russell
Harris of Dallas	Settle
Harris of Dickens	Sewell
Jackson	Sharpe
James	Skaggs
Jones of Falls	Stinson
Keith	Tennant
Knetsch	Tennyson
Langdon	Waggoner
Lankford	Wood
London	Worley
McConnell	

Present—Not Voting

Felty	Herzik
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Absent

Baker	McKee
Cagle	Monkhouse
Dean	Patterson of Mills
Harper	Pope
Harrell	Smith of Hopkins
Howard	Tarwater
King	

Absent—Excused

Fuchs	Petsch
Kern	

HOUSE BILL NO. 49 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 49, A bill to be entitled "An Act amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of The North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to The North Texas Agricultural, Mechanical and Industrial College at Arlington, and amending Article 2621 of the Revised Civil Statutes of 1925, providing a four-year course of study for said college, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Prescott, pending.

Mr. Mays moved the previous question on the pending amendment, and the passage of House Bill No. 49 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 67; nays, 63.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—64

Mr. Speaker	Loggins
Alsup	London
Amos	Lucas
Baker	Mann
Bates	Mays
Bond	McConnell
Bridgers	McCracken
Broadfoot	McKinney
Callan	Morse
Cathey	Newton
Cauthorn	Oliver
Cleveland	Patterson of Mills
Davis of Haskell	Prescott
Davis of Jasper	Reader
Deglandon	Reed of Bowie
Dollins	Reed of Dallas
England	Rhodes
Farmer	Sewell
Hamilton	Shell
Harbin	Simpson
Heflin	Skaggs
Hoskins	Smith of Hopkins
Huddleston	Smith
Hull	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stinson
Kelt	Stocks
Kenyon	Talbert
King	Tennant
Lankford	Vale
Lanning	Weldon
Leath	Westbrook
Leonard	Winfree

Nays—63

Adkins	Derden
Alexander	Dickison
Beckworth	Fielden
Bell	Fox
Blankenship	Gibson
Boyer	Hankamer
Bradbury	Hanna
Bradford	Hardin
Brown	Harris of Archer
Burton	Harris of Dallas
Cagle	Harris of Dickens
Carssow	Hartzog
Celaya	Herzik
Colquitt	Hyder
Davison of Fisher	Jackson

James	Patterson
Johnson of Ellis	of Travis
Jones of Atascosa	Powell
Jones of Falls	Quinn
Jones of Wise	Ross
Keith	Rutta
Knetsch	Schuenemann
Langdon	Settle
Leyendecker	Sharpe
Mauritz	Stevenson
McDonald	Tarwater
McFarland	Tennyson
McKee	Thornberry
Metcalf	Thornton
Moffett	Waggoner
Morris	Wood
Palmer	Worley

Present—Not Voting

Felty

Harper

Absent

Boethel	Little
Davisson	Monkhouse
of Eastland	Nicholson
Dean	Pope
Graves	Ragsdale
Harrell	Riddle
Holland	Roark
Howard	Russell
Jones of Angelina	Walker
Keefe	

Absent—Excused

Fuchs

Petsch

Kern

The Speaker announced that the motion for the main question prevailed.

Question first recurring on the amendment by Mr. Prescott, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Question recurring on the engrossment of House Bill No. 49, yeas and nays were demanded.

House Bill No. 49 was then passed to engrossment by the following vote:

Yeas—76

Amos	Cleveland
Baker	Davis of Haskell
Bates	Davis of Jasper
Bond	Davisson
Broadfoot	of Eastland
Callan	Deglandon
Cathey	Dickison
Celaya	Dollins

Farmer	Monkhouse
Hamilton	Morse
Hankamer	Newton
Hanna	Oliver
Harbin	Patterson of Mills.
Hardin	Pope
Harper	Prescott
Harris of Dallas	Quinn
Hartzog	Reader
Heflin	Reed of Dallas
Holland	Rhodes
Huddleston	Riddle
Hull	Rutta
Hyder	Schuenemann
Jackson	Settle
James	Sewell
Johnson	Simpson
of Tarrant	Skaggs
Kelt	Smith of Hopkins
King	Smith
Lankford	of Matagorda
Lanning	Smith of Tarrant
Leath	Stinson
Leonard	Talbert
Leyendecker	Tennant
Loggins	Thornton
Lucas	Vale
Mann	Weldon
Mays	Westbrook
McConnell	Winfree
McCracken	Worley
McKinney	

Nays—57

Adkins	Jones of Wise
Alexander	Keith
Alsup	Kenyon
Beckworth	Knetsch
Bell	Langdon
Blankenship	Mauritz
Boethel	McDonald
Bradbury	McFarland
Bradford	McKee
Bridgers	Metcalf
Brown	Moffett
Burton	Morris
Cagle	Nicholson
Carssow	Palmer
Colquitt	Patterson
Davison of Fisher	of Travis
Derden	Powell
England	Reed of Bowie
Felty	Roark
Fielden	Ross
Fox	Sharpe
Gibson	Stevenson
Graves	Stocks
Harris of Archer	Tarwater
Harris of Dickens	Tennyson
Hoskins	Thornberry
Johnson of Ellis	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wood

Present—Not Voting

Herzik

Absent

Boyer	Keefe
Cauthorn	Little
Dean	London
Harrell	Ragsdale
Howard	Russell
Jones of Angelina	Shell

Absent—Excused

Fuchs	Petsch
Kern	

Mr. Hull moved to reconsider the vote by which House Bill No. 49 was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP HOUSE BILL NO. 49

Mr. Johnson of Tarrant moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 49 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—81

Amos	Hull
Baker	Jackson
Bates	James
Bond	Johnson
Broadfoot	of Tarrant
Callan	Jones of Wise
Carssow	Kelt
Cathey	King
Cauthorn	Langdon
Celaya	Lankford
Cleveland	Lanning
Davis of Haskell	Leath
Davis of Jasper	Leonard
Davisson	Leyendecker
of Eastland	Loggins
Deglandon	Lucas
Dollins	Mann
Farmer	Mauritz
Hamilton	Mays
Hankamer	McConnell
Hanna	McCracken
Harbin	McKinney
Hardin	Moffett
Harris of Dallas	Monkhouse
Hartzog	Morse
Heflin	Newton
Holland	Oliver
Huddleston	Patterson of Mills

Pope
Prescott
Quinn
Reader
Reed of Dallas
Rhodes
Riddle
Russell
Rutta
Schuenemann
Sewell
Shell
Simpson
Skaggs

Smith of Hopkins
Smith
of Matagorda
Smith of Tarrant
Stevenson
Stinson
Talbert
Tarwater
Tennant
Thornton
Vale
Weldon
Winfree
Worley

Nays—52

Adkins	Jones of Atascosa
Alexander	Jones of Falls
Alsup	Keith
Beckworth	Kenyon
Bell	Knetsch
Blankenship	McDonald
Boethel	McFarland
Bradbury	McKee
Bradford	Metcalfe
Bridgers	Morris
Brown	Nicholson
Burton	Palmer
Cagle	Patterson
Colquitt	of Travis
Davison of Fisher	Powell
Derden	Reed of Bowie
England	Roark
Felty	Ross
Fielden	Settle
Fox	Sharpe
Gibson	Stocks
Graves	Tennyson
Harper	Thornberry
Harris of Archer	Waggoner
Harris of Dickens	Walker
Hoskins	Wood
Johnson of Ellis	

Present—Not Voting

Herzik

Absent

Boyer	Jones of Angelina
Dean	Keefe
Dickison	Little
Harrell	London
Howard	Ragsdale
Hyder	Westbrook

Absent—Excused

Fuchs	Fetsch
Kern	

HOUSE BILL NO. 198 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 198, A bill to be entitled

"An Act levying and providing for the payment of a State occupation tax on the producing, distributing, exporting, importing and sale of natural gas with certain exceptions; requiring reports to be made and records to be kept by those engaged in the business, and providing for the inspection thereof by certain public officials, their employees or representatives; prescribing penalties for failure to comply with the provisions of this Act; providing for the payment of interest and penalties on delinquent taxes due hereunder; providing that the State may compel meters to be placed on natural gas wells and natural gas pipe lines; providing for suits to enforce the collection of delinquent taxes, interest, penalties and costs by certain officials and fixing the venue therefor; providing that one-fourth of the tax collected shall be paid into the State Treasury for account of the Public Free School Fund, one-fourth for account of the Old Age Pension Fund and one-half for account of the General Fund; providing that should any part of this bill be declared unconstitutional the remainder of the bill shall remain in full force and effect; the fact that the State Treasury is in a depleted condition, and the fact that millions of dollars worth of natural gas is being produced and sold without paying a reasonable tax, therefore, an emergency is declared."

The bill having heretofore been read second time, with committee amendment by Mr. Derden, and amendment by Mr. Sharpe, as substituted by amendment by Mr. Boyer and Mr. Little, pending.

Mr. London moved the previous question on the pending amendments, and the passage of House Bill No. 198 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—57

Alexander	Colquitt
Blankenship	Davisson
Bond	of Eastland
Boyer	Dean
Bradford	Dickison
Bridgers	Dollins
Callan	Gibson
Celaya	Hankamer

Hardin	McKee
Harris of Dallas	McKinney
Hartzog	Morse
Heflin	Nicholson
Huddleston	Prescott
Jackson	Reader
James	Reed of Dallas
Johnson	Riddle
of Tarrant	Ross
Jones of Falls	Schuenemann
Keith	Settle
Kenyon	Shell
Lanning	Smith
Leath	of Matagorda
Leonard	Stinson
Leyendecker	Tarwater
Little	Tennant
London	Thornton
Mann	Vale
McConnell	Walker
McCracken	Weldon
McFarland	Winfree

Nays—78

Adkins	Jones of Wise
Alsup	Keefe
Amos	Kelt
Baker	King
Bates	Knetsch
Beckworth	Langdon
Bell	Lankford
Boethel	Loggins
Bradbury	Lucas
Broadfoot	Mays
Brown	McDonald
Burton	Metcalfe
Cagle	Moffett
Carssow	Monkhouse
Cathey	Morris
Cauthorn	Newton
Cleveland	Oliver
Davis of Haskell	Palmer
Davis of Jasper	Patterson of Mills
Davison of Fisher	Patterson
Deglandon	of Travis
Derden	Powell
England	Quinn
Farmer	Reed of Bowie
Felty	Rhodes
Fielden	Russell
Fox	Rutta
Graves	Sewell
Hamilton	Sharpe
Hanna	Simpson
Harbin	Skaggs
Harper	Smith of Hopkins
Harris of Archer	Smith of Tarrant
Harris of Dickens	Stocks
Herzik	Talbert
Holland	Tennyson
Hoskins	Thornberry
Hyder	Waggoner
Johnson of Ellis	Wood
Jones of Atascosa	

Absent

Harrell	Ragsdale
Howard	Roark
Hull	Stevenson
Jones of Angelina	Westbrook
Mauritz	Worley
Pope	

Absent—Excused

Fuchs	Petsch
Kern	

Mr. Baker moved to table the pending amendment by Mr. Sharpe, as substituted by amendment by Mr. Boyer and Mr. Little.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows:

Yeas, 73; nays, 71.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—73

Adkins	Holland
Alsup	Huddleston
Amos	Hyder
Baker	Jones of Angelina
Bates	Jones of Wise
Beckworth	Keefe
Bell	Kelt
Bradbury	King
Bridgers	Knetsch
Broadfoot	Langdon
Brown	Lankford
Burton	Lucas
Cagle	Mays
Cathey	McDonald
Cauthorn	Monkhouse
Cleveland	Morris
Davis of Haskell	Newton
Davis of Jasper	Oliver
Davisson	Palmer
of Eastland	Patterson of Mills
Deglandon	Patterson
Derden	of Travis
England	Powell
Farmer	Prescott
Fielden	Quinn
Fox	Ragsdale
Graves	Reed of Bowie
Hamilton	Rhodes
Harbin	Roark
Hardin	Ross
Harper	Russell
Harrell	Rutta
Harris of Archer	Sharpe
Harris of Dickens	Simpson
Herzik	Skaggs

Smith of Hopkins	Thornberry
Smith of Tarrant	Weldon
Talbert	

Nays—67

Alexander	Little
Blankenship	Loggins
Boethel	London
Bond	Mann
Boyer	Mauritz
Bradford	McConnell
Callan	McCracken
Carssow	McFarland
Celaya	McKee
Colquitt	McKinney
Davison of Fisher	Metcalfe
Dean	Moffett
Dollins	Morse
Felty	Pope
Gibson	Reader
Hankamer	Reed of Dallas
Hanna	Riddle
Harris of Dallas	Schuenemann
Hartzog	Settle
Heflin	Sewell
Hoskins	Smith
Hull	of Matagorda
Jackson	Stinson
James	Stocks
Johnson of Ellis	Tarwater
Johnson	Tennant
of Tarrant	Tennyson
Jones of Atascosa	Thornton
Jones of Falls	Vale
Keith	Waggoner
Kenyon	Walker
Lanning	Winfree
Leath	Wood
Leonard	Worley
Leyendecker	

Absent

Dickison	Shell
Howard	Stevenson
Nicholson	Westbrook

Absent—Excused

Fuchs	Petsch
Kern	

The Speaker announced that the motion to table prevailed.

Question—Shall the committee amendment be adopted?

AUTHORIZING CERTAIN
CORRECTIONS IN SENATE
BILL NO. 240

Mr. Walker offered the following resolution:

H. C. R. No. 86, Authorizing certain corrections in Senate Bill No. 240.

Whereas, Senate Bill No. 240 has passed the Senate and the House; and

Whereas, Said Senate Bill No. 240 was amended in the House, but the caption was not amended to conform; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the Senate be authorized to amend the caption of said Senate Bill No. 240 to conform to the amendments.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 359, A bill to be entitled "An Act giving to W. N. Smith, for himself, and as next friend of Carl Smith, minor, of Chambers County, Texas, consent of the Legislature to file and prosecute a suit against the State of Texas, and declaring an emergency."

H. B. No. 593, A bill to be entitled "An Act creating the office of Criminal District Attorney in certain counties, and declaring an emergency."

S. B. No. 443, A bill to be entitled "An Act creating a Special Road Law for Waller County, Texas, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 443, to the Committee on Highways and Motor Traffic.

RECESS

On motion of Mr. Blankenship, the House, at 12:20 o'clock p. m., took recess until 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 198 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 198, concerning the levy of certain tax on natural gas, on its passage to engrossment.

The bill having heretofore been read second time, with committee amendment, offered by Mr. Derden, pending.

Mr. Baker offered the following amendment to the committee amendment:

Amend committee amendment No. 1, by striking out the whole of Section 1, same being from line 22 on page 1 of said bill through line 31 on page 2 of said bill, and insert in lieu thereof the following:

"Sec. 1 (a). Section 3 of Chapter 73, Acts of the Regular Session of the Forty-second Legislature, as amended by Section 8 of House Bill No. 8, Acts of the Forty-fourth Legislature, Third Called Session, be, and the same is hereby amended so as to hereafter read as follows:

"Sec. 3. Each and every person, partnership or corporation who owns, controls, manages, leases or operates any natural gas well or natural gas pipe line or produces, distributes, imports or exports any natural gas shall make monthly on or before the 25th day of each month of each year a report to the Comptroller of Public Accounts, sworn to by such person before an official authorized to administer oaths in this State, or if such person be other than an individual sworn to by its president, secretary or other duly authorized official on such forms as said Comptroller shall prescribe, showing the total amount of natural gas produced and saved within this State, the amount of natural gas exported from the State and the amount of natural gas imported into the State and the amount sold during such month, and at the time of making said report shall pay to the Treasurer of the State of Texas an occupation tax for said month equivalent to three and three-fourths (3¾%) per cent of the market value of the total amount of gas produced

and saved within this State and a transaction tax of two (2%) per cent per thousand cubic feet on each successive sale of natural gas in intrastate commerce within this State. In case such company or person should import gas into this State, the two per cent (2%) per thousand cubic feet shall be paid on each successive sale in intrastate commerce. If for any reason the Comptroller of Public Accounts is not satisfied with any report so received, he may require additional or supplemental reports containing information and data upon such matters as he may deem necessary to ascertain the true and correct amount of tax due from such person or concern, which additional or supplemental report shall be made under oath as provided above; provided further that should any item of tax as fixed herein, be declared unconstitutional it is the intent of the Legislature that each and every other item of the same would have been imposed irrespective of any other item herein; provided further that the taxes levied herein shall be in lieu of the gross receipts taxes now paid by those persons, associations and corporations engaged in producing, transporting, buying and selling natural gas, by virtue of Article 7060, R. C. S. of 1925 as amended."

BAKER,
RAGSDALE,
BATES,
JONES of Angelina,
BECKWORTH,
AMOS.

Mr. Quinn offered the following substitute for the amendment by Mr. Baker:

Amend the amendment to House Bill No. 198, by striking out the whole of Section 1 and inserting in lieu thereof the following:

"Section 1. Each and every person, partnership or corporation who owns, controls, manages, leases or operates any natural gas well or natural gas pipe line or produces, distributes, imports or exports any natural gas shall make monthly on or before the 25th day of each month of each year a report to the Comptroller of Public Accounts, sworn to by such person before an official authorized to administer oaths in this State, or if such person be other than an individual sworn to by its president, secretary or other duly authorized offi-

cial on such forms as said Comptroller shall prescribe, showing the total amount of natural gas produced and saved within this State, the amount of natural gas exported from the State and the amount of natural gas imported into the State and the amount sold during such month, and at the time of making said report shall pay to the Treasurer of the State of Texas an occupation tax for said month of one-fourth of one cent ($\frac{1}{4}c$) per thousand cubic feet on all the gas produced and saved within this State and one-fourth cent ($\frac{1}{4}c$) per thousand cubic feet on each successive sale of natural gas within this State. In case such company or person should import gas into this State, the one-fourth cent ($\frac{1}{4}c$) per thousand cubic feet shall be paid on each successive sale in intrastate commerce. If for any reason the Comptroller of Public Accounts is not satisfied with any report so received, he may require additional or supplemental reports containing information and data upon such matters as he may deem necessary to ascertain the true and correct amount of tax due from such person or concern, which additional or supplemental report shall be made under oath as above provided; said tax shall be divided as follows: one-fourth to be placed by the State Treasury in the Public School Fund, one-fourth to be placed in the Old Age Pension Fund and one-half to be placed in the General Fund, provided no tax shall be required from the producer of oil or natural gas used as fuel in drilling new wells or working over old wells."

Mr. Mays moved to postpone further consideration of House Bill No. 198 until 10:00 o'clock a. m., next Friday.

Mr. Brown moved to table the motion to postpone the bill.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—56

Alsup	Brown
Amos	Burton
Baker	Cagle
Bell	Cauthorn
Boethel	Cleveland
Bond	Deglandon
Bridgers	Derden
Broadfoot	England

Felty	Morris
Fuchs	Newton
Graves	Oliver
Hamilton	Palmer
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dickens	Powell
Herzik	Quinn
Holland	Ragsdale
James	Reed of Bowie
Jones of Angelina	Russell
Jones of Wise	Sharpe
Keefe	Simpson
Kelt	Skaggs
King	Smith of Hopkins
Knetsch	Stocks
Langdon	Tennant
Lankford	Thornberry
Lucas	Waggoner
McDonald	Weldon
Metcalf	

Nays—66

Bates	Lanning
Beckworth	Leath
Blankenship	Leonard
Boyer	Leyendecker
Bradbury	Little
Callan	Loggins
Carssow	Mann
Cathey	Mauritz
Celaya	Mays
Colquitt	McConnell
Davis of Jasper	McCracken
Dickison	McFarland
Dollins	McKinney
Farmer	Moffett
Fielden	Morse
Gibson	Nicholson
Hankamer	Prescott
Hanna	Reader
Harbin	Reed of Dallas
Hardin	Riddle
Harris of Dallas	Roark
Hartzog	Schuenemann
Heflin	Settle
Hoskins	Shell
Huddleston	Smith
Hull	of Matagorda
Hyder	Smith of Tarrant
Johnson of Ellis	Stevenson
Johnson	Talbert
of Tarrant	Tarwater
Jones of Atascosa	Vale
Jones of Falls	Walker
Keith	Wood
Kenyon	Worley

Absent

Adkins	Davisson
Alexander	of Eastland
Bradford	Dean
Davis of Haskell	Fox
Davison of Fisher	Harper

Howard	Ross
Jackson	Rutta
London	Sewell
McKee	Stinson
Monkhouse	Tennyson
Patterson of Mills	Thornton
Pope	Westbrook
Rhodes	Winfree

Absent—Excused

Kern

Petsch

Mr. Hardin moved the previous question on the motion to postpone, the pending amendments, and the engrossment of House Bill No. 198, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Harris of Dickens moved to postpone further consideration of House Bill No. 198 until 10:00 o'clock a. m., tomorrow.

Mr. Jones of Wise moved the previous question on the motions to postpone, and the main question was ordered.

Question recurring on the substitute motion by Mr. Harris of Dickens, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 71; nays, 77.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—65

Beckworth	Holland
Blankenship	Huddleston
Boyer	Hull
Bradford	Hyder
Carssow	Jackson
Celaya	James
Colquitt	Johnson of Ellis
Davisson	Keith
of Eastland	Kenyon
Dean	King
Deglandon	Lanning
Dickison	Leonard
Felty	Leyendecker
Fuchs	Little
Gibson	Loggins
Hankamer	Lucas
Harbin	Mann
Harrell	McCracken
Harris of Dallas	McFarland
Harris of Dickens	McKee
Hartzog	McKinney
Heflin	Morse

Nicholson	Stevenson
Oliver	Stinson
Prescott	Tarwater
Reed of Dallas	Thornton
Riddle	Vale
Roark	Walker
Russell	Weldon
Schuenemann	Westbrook
Shell	Winfree
Simpson	Wood
Smith	Worley

of Matagorda

Nays—74

Adkins	Jones of Wise
Alexander	Keefe
Alsup	Kelt
Amos	Knetsch
Baker	Langdon
Bates	Lankford
Bell	London
Boethel	Mauritz
Bond	Mays
Bradbury	McConnell
Bridgers	McDonald
Broadfoot	Metcalf
Brown	Moffett
Burton	Morris
Cagle	Newton
Callan	Palmer
Cathey	Patterson of Mills
Cauthorn	Patterson
Cleveland	of Travis
Davis of Haskell	Powell
Davis of Jasper	Quinn
Davison of Fisher	Ragsdale
Derden	Reader
England	Reed of Bowie
Fielden	Rhodes
Fox	Ross
Graves	Rutta
Hamilton	Settle
Hanna	Sharpe
Hardin	Skaggs
Harper	Smith of Hopkins
Harris of Archer	Smith of Tarrant
Herzik	Stocks
Hoskins	Talbert
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornberry
Jones of Atascosa	Waggoner

Absent

Dollins	Leath
Farmer	Monkhouse
Howard	Pope
Jones of Falls	Sewell

Absent—Excused

Kern	Petsch
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The Speaker announced that the substitute motion by Mr. Harris of Dickens was lost.

Question recurring on the motion to postpone further consideration of House Bill No. 198 until next Friday at 10:00 o'clock a. m., yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 68; nays, 69.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—68

Adkins	Jones of Atascosa
Alexander	Keith
Alsup	Kelt
Beckworth	Kenyon
Blankenship	Lanning
Boyer	Leonard
Bradford	Leyendecker
Callan	Little
Carssow	Loggins
Cathey	London
Celaya	Mays
Colquitt	McConnell
Davis of Jasper	McCracken
Davison	McDonald
of Eastland	McFarland
Dean	McKee
Dickison	McKinney
Felty	Morse
Fielden	Nicholson
Gibson	Prescott
Hankamer	Reed of Dallas
Hanna	Riddle
Harbin	Schuenemann
Harrell	Settle
Harris of Dallas	Shell
Harris of Dickens	Smith
Hartzog	of Matagorda
Heflin	Stevenson
Huddleston	Stinson
Hull	Tarwater
Hyder	Thornton
Jackson	Vale
James	Waggoner
Johnson of Ellis	Winfree
Johnson	Worley
of Tarrant	

Nays—71

Amos	Cagle
Baker	Cauthorn
Bates	Cleveland
Bell	Davis of Haskell
Boethel	Davison of Fisher
Bond	Deglandon
Bradbury	Derden
Bridgers	Dollins
Broadfoot	England
Brown	Fox
Burton	Fuchs

Graves	Powell
Hamilton	Quinn
Hardin	Ragsdale
Harper	Reader
Harris of Archer	Reed of Bowie
Herzik	Rhodes
Holland	Roark
Hoskins	Ross
Jones of Angelina	Russell
Jones of Wise	Rutta
Keefe	Sharpe
King	Simpson
Knetsch	Skaggs
Langdon	Smith of Hopkins
Lankford	Smith of Tarrant
Lucas	Stocks
Mauritz	Talbert
Metcalfe	Tennant
Moffett	Tennyson
Morris	Thornberry
Newton	Walker
Oliver	Weldon
Palmer	Westbrook
Patterson of Mills	Wood
Patterson of Travis	

Absent

Farmer	Mann
Howard	Monkhouse
Jones of Falls	Pope
Leath	Sewell

Absent—Excused

Kern	Petsch
------	--------

The Speaker announced that the motion to postpone the bill was lost.

Mr. Wood moved to reconsider the vote by which the motion to postpone further consideration of House Bill No. 198, until next Friday at 10:00 o'clock a. m., was lost.

Mr. Jones of Wise moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—74

Adkins	Cagle
Alsup	Cauthorn
Amos	Cleveland
Baker	Davis of Haskell
Bates	Davis of Jasper
Bell	Davison of Fisher
Bond	Deglandon
Bradbury	Derden
Bridgers	Dollins
Broadfoot	England
Brown	Fox
Burton	Graves

Hamilton	Patterson of Mills
Harbin	Patterson of Travis
Hardin	Powell
Harper	Quinn
Harrell	Ragsdale
Harris of Archer	Reader
Heflin	Reed of Bowie
Herzik	Roark
Holland	Ross
Jones of Angelina	Russell
Jones of Wise	Rutta
Kelt	Sewell
King	Sharpe
Knetsch	Simpson
Langdon	Skaggs
Lankford	Smith of Hopkins
Lucas	Smith of Tarrant
Mauritz	Stocks
McDonald	Talbert
McKee	Tennant
Metcalfe	Tennyson
Moffett	Thornberry
Morris	Weldon
Newton	Westbrook
Oliver	
Palmer	

Nays—62

Alexander	Kenyon
Blankenship	Lanning
Boethel	Leath
Boyer	Leonard
Bradford	Leyendecker
Callan	Little
Carssow	Loggins
Cathey	London
Celaya	McConnell
Davisson	McCracken
of Eastland	McFarland
Dean	McKinney
Dickison	Morse
Felty	Nicholson
Fielden	Prescott
Fuchs	Reed of Dallas
Gibson	Riddle
Hankamer	Schuenemann
Hanna	Settle
Harris of Dallas	Shell
Harris of Dickens	Smith
Hartzog	of Matagorda
Hoskins	Stevenson
Huddleston	Stinson
Hull	Tarwater
Hyder	Thornton
Jackson	Vale
James	Wagoner
Johnson of Ellis	Walker
Johnson	Winfree
of Tarrant	Wood
Jones of Atascosa	Worley
Keith	

Present—Not Voting

Beckworth	Mann
-----------	------

Absent

Colquitt	Mays
Farmer	Monkhouse
Howard	Pope
Jones of Falls	Rhodes
Keefe	

Absent—Excused

Kern	Petsch
------	--------

Mr. Lanning moved to table the substitute amendment by Mr. Quinn.

The motion to table prevailed.

Mr. Sharpe offered the following substitute for the amendment by Mr. Baker:

Amend House Bill No. 198, by striking out "one fourth per cent" and writing in lieu thereof "5½%".

Mr. Ragsdale moved the previous question on the pending amendments, and the engrossment of House Bill No. 198, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Bell raised a point of order, on further consideration of the amendment by Mr. Sharpe, on the ground that same is not a proper substitute and seeks to strike out matter not contained in the committee amendment.

The Speaker sustained the point of order.

Mr. Beckworth moved the previous questions on the pending amendments and passage of House Bill No. 198 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Boyer offered the following substitute for the amendment by Mr. Baker:

Amend committee amendment to House Bill No. 198, by striking out the words and figures "one-fourth of one cent (1c) per thousand cubic feet of gas produced and saved within this State, or sold, if imported into this State," wherever said words and figures appear, and insert in lieu thereof the following: "A tax equivalent to four per cent (4%) of the market value of the total amount of gas produced and saved within this State, or sold, if imported into this State, at the actual market value thereof, as and when produced."

BOYER.
WORLEY,
LITTLE,
LANNING.

Mr. Jones of Wise raised a point of order, on further consideration of the amendment, on the ground that same is not a proper substitute for the amendment offered by Mr. Baker.

The Speaker overruled the point of order.

(Pending consideration of the amendment, Mr. Jones of Wise occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Baker moved to table the substitute amendment by Mr. Boyer.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—61

Alsup	Jones of Wise
Amos	Keefe
Baker	King
Bates	Langdon
Beckworth	Lankford
Bell	Lucas
Bridgers	Mays
Broadfoot	McDonald
Brown	Metcalf
Burton	Morris
Cathey	Newton
Cauthorn	Oliver
Cleveland	Palmer
Davis of Haskell	Patterson of Mills
Davis of Jasper	Patterson
Deglandon	of Travis
Derden	Powell
Dollins	Prescott
England	Quinn
Farmer	Ragsdale
Fielden	Reed of Bowie
Fuchs	Rhodes
Graves	Roark
Hamilton	Ross
Harbin	Rutta
Harrell	Sewell
Harris of Archer	Simpson
Herzik	Skaugs
Holland	Smith of Hopkins
Huddleston	Stocks
Jones of Angelina	Weldon

Nays—72

Alexander	Celaya
Blankenship	Davison of Fisher
Boethel	Davison
Bond	of Eastland
Boyer	Dean
Bradbury	Dickison
Bradford	Felty
Callan	Gibson
Carssow	Hankamer

Hanna	McFarland
Hardin	McKee
Harris of Dallas	McKinney
Harris of Dickens	Moffett
Hartzog	Morse
Hoskins	Nicholson
Hyder	Reader
Jackson	Reed of Dallas
James	Riddle
Johnson of Ellis	Russell
Johnson	Schuenemann
of Tarrant	Settle
Jones of Atascosa	Sharpe
Keith	Shell
Kelt	Stevenson
Kenyon	Stinson
Knetsch	Talbert
Lanning	Tarwater
Leath	Tennant
Leonard	Tennyson
Leyendecker	Thornberry
Little	Thornton
Loggins	Vale
London	Waggoner
Mann	Walker
Mauritz	Winfree
McConnell	Wood
McCracken	Worley

Present—Not Voting

Adkins

Absent

Cagle	Jones of Falls
Colquitt	Monkhouse
Fox	Pope
Harper	Smith
Heflin	of Matagorda
Howard	Smith of Tarrant
Hull	Westbrook

Absent—Excused

Kern

Petsch

PAIRED

Mr. Adkins (present), who would vote "yea", with Mr. Jones of Falls (absent), who would vote "nay".

Question recurring on the substitute amendment by Mr. Boyer, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—76

Alexander	Celaya
Blankenship	Colquitt
Boethel	Davison of Fisher
Bond	Davisson
Boyer	of Eastland
Bradbury	Dean
Bradford	Dickson
Callan	Felty
Carssow	Gibson

Hankamer	McKee
Hanna	McKinney
Hardin	Moffett
Harris of Dallas	Monkhouse
Harris of Dickens	Morse
Hartzog	Nicholson
Hoskins	Reader
Hyder	Reed of Dallas
Jackson	Riddle
James	Roark
Johnson of Ellis	Russell
Johnson	Schuenemann
of Tarrant	Settle
Jones of Atascosa	Shell
Keith	Smith
Kelt	of Matagorda
Kenyon	Stevenson
King	Stinson
Knetsch	Talbert
Lanning	Tarwater
Leath	Tennant
Leonard	Tennyson
Leyendecker	Thornberry
Little	Thornton
Loggins	Vale
London	Waggoner
Mann	Walker
Mauritz	Winfree
McConnell	Wood
McCracken	Worley
McFarland	

Nays—60

Alsup	Jones of Wise
Amos	Keefe
Baker	Langdon
Bates	Lankford
Beckworth	Lucas
Bell	Mays
Bridgers	McDonald
Broadfoot	Metcalfe
Brown	Morris
Burton	Newton
Cathey	Oliver
Cauthorn	Palmer
Cleveland	Patterson of Mills
Davis of Haskell	Patterson
Davis of Jasper	of Travis
Deglandon	Powell
Derden	Prescott
Dollins	Quinn
England	Ragsdale
Farmer	Reed of Bowie
Fielden	Rhodes
Fuchs	Ross
Graves	Rutta
Hamilton	Sewell
Harbin	Sharpe
Harrell	Simpson
Harris of Archer	Skaggs
Herzik	Smith of Hopkins
Holland	Stocks
Huddleston	Weldon
Jones of Angelina	

Present—Not Voting

Adkins

Absent

Cagle

Hull

Fox

Jones of Falls

Harper

Pope

Heflin

Smith of Tarrant

Howard

Westbrook

Absent—Excused

Kern

Petsch

PAIRED

Mr. Adkins (present), who would vote "nay", with Mr. Jones of Falls (absent), who would vote "yea".

Question recurring on the amendment to the amendment, as substituted, it was adopted.

Mr. Boyer moved to reconsider the vote by which the amendment, as substituted, was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Reader moved the previous question on the committee amendment, and the engrossment of House Bill No. 198, and the main question was ordered.

Question recurring on the committee amendment, as amended, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Mr. Quinn asked unanimous consent of the House that the word "natural" be inserted before the word "gas" wherever it appears in the bill.

There was no objection offered, and it was so ordered.

House Bill No. 198 was then passed to engrossment.

HOUSE BILL NO. 198 ON THIRD READING

Mr. Quinn moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 198 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—136

Alexander

Bell

Alsup

Blankenship

Amos

Boethel

Baker

Bond

Bates

Boyer

Beckworth

Bradbury

Bradford

Broadfoot

Brown

Burton

Callan

Carssow

Cauthorn

Celaya

Cleveland

Colquitt

Davis of Haskell

Davis of Jasper

Davisson

of Eastland

Dean

Deglandon

Derden

Dickison

Dollins

England

Farmer

Felty

Fielden

Fox

Fuchs

Gibson

Graves

Hamilton

Hankamer

Hanna

Harbin

Hardin

Harper

Harrell

Harris of Archer

Harris of Dallas

Harris of Dickens

Hartzog

Herzik

Holland

Hoskins

Huddleston

Hyder

Jackson

James

Johnson of Ellis

Johnson

of Tarrant

Jones of Angelina

Jones of Atascosa

Jones of Wise

Keefe

Keith

Kelt

Kenyon

King

Knetsch

Langdon

Lankford

Lanning

Leath

Leonard

Leyendecker

Little

Loggins

London

Lucas

Mann

Mauritz

Mays

McConnell

McCracken

McDonald

McFarland

McKee

McKinney

Metcalf

Moffett

Monkhouse

Morris

Morse

Newton

Nicholson

Oliver

Palmer

Patterson of Mills

Patterson

of Travis

Powell

Prescott

Quinn

Ragsdale

Reader

Reed of Bowie

Reed of Dallas

Rhodes

Riddle

Roark

Ross

Russell

Rutta

Schuenemann

Settle

Sewell

Sharpe

Shell

Simpson

Skaggs

Smith of Hopkins

Smith of Tarrant

Stevenson

Stinson

Stocks

Talbert

Tarwater

Tennant

Tennyson

Thornberry

Thornton

Vale

Waggoner

Walker

Weldon

Westbrook

Winfree

Wood

Worley

Absent

Adkins	Howard
Bridgers	Hull
Cagle	Jones of Falls
Cathey	Pope
Davison of Fisher	Smith
Heflin	of Matagorda

Absent—Excused

Kern	Petsch
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The Speaker then laid House Bill No. 198 before the House on third reading and final passage.

The bill was read third time.

Mr. Reader moved the previous question on the final passage of House Bill No. 198, and the main question was ordered.

House Bill No. 198 was then passed by the following vote:

Yeas—138

Adkins	Gibson
Alexander	Graves
Alsup	Hamilton
Amos	Hankamer
Baker	Hanna
Bates	Harbin
Beckworth	Hardin
Bell	Harper
Blankenship	Harrell
Boethel	Harris of Archer
Bond	Harris of Dallas
Boyer	Harris of Dickens
Bradbury	Hartzog
Bradford	Herzik
Bridgers	Holland
Broadfoot	Hoskins
Brown	Hull
Burton	Hyder
Callan	Jackson
Carssow	James
Cathey	Johnson of Ellis
Cauthorn	Johnson
Celaya	of Tarrant
Cleveland	Jones of Angelina
Colquitt	Jones of Atascosa
Davis of Haskell	Jones of Wise
Davis of Jasper	Keefe
Davison	Keith
of Eastland	Kelt
Deglandon	King
Derden	Knetsch
Dickison	Langdon
Dollins	Lankford
England	Lanning
Farmer	Leath
Felty	Leonard
Fielden	Leyendecker
Fox	Little
Fuchs	Loggins

London	Roark
Lucas	Ross
Mann	Russell
Mauritz	Rutta
Mays	Schuenemann
McConnell	Settle
McCracken	Sewell
McDonald	Sharpe
McFarland	Shell
McKee	Simpson
McKinney	Skaggs
Metcalfe	Smith of Hopkins
Moffett	Smith
Monkhouse	of Matagorda
Morris	Smith of Tarrant
Morse	Stevenson
Newton	Stinson
Nicholson	Stocks
Oliver	Talbert
Patterson of Mills	Tarwater
Patterson	Tennant
of Travis	Tennyson
Pope	Thornberry
Powell	Thornton
Prescott	Vale
Quinn	Waggoner
Ragsdale	Walker
Reader	Weldon
Reed of Bowie	Westbrook
Reed of Dallas	Winfree
Rhodes	Wood
Riddle	Worley

Nays—2

Dean	Kenyon
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Absent

Cagle	Huddleston
Davison of Fisher	Jones of Falls
Heflin	Palmer
Howard	

Absent—Excused

Kern	Petsch
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HOUSE BILL NO. 600 ON SECOND READING

Mr. Simpson moved that the regular order of business be suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 600, A bill to be entitled "An Act to amend Chapter 350, Acts of Forty-fourth Legislature, being the Rural Aid Appropriation, by providing additional appropriation for carrying out provisions of said Act, repealing all conflicting laws, and declaring an emergency."

The motion prevailed by the following vote:

Yeas—112

Adkins	King
Alexander	Langdon
Alsup	Lankford
Amos	Lanning
Baker	Leath
Bates	Loggins
Beckworth	London
Bell	Lucas
Boethel	Mann
Bond	Mauritz
Boyer	Mays
Bradbury	McConnell
Bridgers	McDonald
Broadfoot	McFarland
Brown	Metcalfe
Burton	Moffett
Callan	Monkhouse
Celaya	Morris
Cathey	Morse
Cleveland	Newton
Davis of Haskell	Oliver
Davis of Jasper	Patterson of Mills
Davison of Fisher	Patterson
Davison	of Travis
of Eastland	Pope
Deglandon	Powell
Derden	Prescott
Dickison	Quinn
Dollins	Ragsdale
England	Reader
Farmer	Reed of Bowie
Fielden	Reed of Dallas
Fox	Rhodes
Fuchs	Roark
Gibson	Ross
Hamilton	Russell
Hanna	Settle
Harbin	Sewell
Hardin	Sharpe
Harper	Simpson
Harrell	Skaggs
Harris of Archer	Smith of Hopkins
Harris of Dallas	Smith
Harris of Dickens	of Matagorda
Herzik	Stinson
Holland	Stocks
Huddleston	Talbert
Hyder	Tennant
James	Tennyson
Johnson of Ellis	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Atascosa	Walker
Jones of Wise	Weldon
Keefe	Westbrook
Keith	Wood
Kelt	Worley

Nays—24

Blankenship	Carssow
Bradford	Cauthorn

Colquitt
Dean
Felty
Graves
Hankamer
Hartzog
Hoskins
Jackson
Kenyon
Knetsch

Leonard
Leyendecker
McKee
McKinney
Nicholson
Riddle
Rutta
Schuenemann
Shell
Tarwater

Absent

Cagle	McCracken
Heflin	Palmer
Howard	Smith of Tarrant
Hull	Stevenson
Jones of Falls	Winfree
Little	

Absent—Excused

Kern

Petsch

The Speaker then laid the bill before the House, and it was read second time.

Question—Shall House Bill No. 600 pass to engrossment?

MESSAGE FROM THE SENATE

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 86, Authorizing the Enrolling Clerk of the Senate to amend the caption of Senate Bill No. 240.

Respectfully,

BOB BARKER,

Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 422, "An Act amending Section 8 of Chapter 163, Acts of the Regular Session of the Forty-second Legislature; validating specified actions heretofore taken by counties, cities and towns in issuing funding and refunding securities in attempted compliance with said Chapter; validating such securities issued thereunder, and declaring an emergency."

H. B. No. 359, "An Act giving to W. N. Smith, for himself, and as next friend of Carl Smith, minor, of Cham-

bers County, Texas, consent of the Legislature to file and prosecute a suit against the State of Texas and/or the State Highway Commission in a court of competent jurisdiction in order to determine what compensation, if any, he, the said W. N. Smith, as father of said Carl Smith, are entitled to receive by reason of injury sustained by said Carl Smith, minor, while an employee of the State Highway Commission, and providing that the State and/or said Commission may appeal from said judgment as provided by law without executing any bond, and upon final judgment being recovered against the State and/or State Highway Commission, the same shall be paid out of the State Highway funds, and providing that service in said cause shall be had by citing the Chairman of the Highway Commission, and the Attorney General, and declaring an emergency."

H. B. No. 593, "An Act creating the office of Criminal District Attorney in all counties having a population of not less than 75,001 nor more than 77,100, and not containing a city of more than 40,000 inhabitants as determined by the last preceding Federal Census, and in which counties there are one or more Judicial Districts and, in which the County Attorney performs the duties of County Attorney and District Attorney, and in which there is not now a District Attorney; providing that the present County Attorney in those counties shall qualify as Criminal District Attorney, remain in office for the period such officer would have held his office as County Attorney had this Act not been passed; . . . etc., and declaring an emergency."

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

H. C. R. No. 86, Authorizing the Enrolling Clerk of the Senate to amend the caption of Senate Bill No. 240.

RECESS

Mr. McKee moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Brown moved that the House recess until 7:30 o'clock p. m., today.

Mr. Leonard moved that the House recess until 10:00 o'clock a. m., tomorrow.

Question recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—47

Blankenship	Mauritz
Boethel	McConnell
Bond	McCracken
Boyer	McFarland
Carssow	McKee
Cathey	McKinney
Cauthorn	Morse
Celaya	Nicholson
Colquitt	Patterson
Davis of Jasper	of Travis
Dean	Pope
Deglandon	Powell
Dollins	Reed of Dallas
Graves	Riddle
Hankamer	Schuenemann
Hartzog	Shell
Hoskins	Smith
Jackson	of Matagorda
Johnson	Stevenson
of Tarrant	Stinson
Jones of Atascosa	Tarwater
Kenyon	Thornberry
Knetsch	Thornton
Little	Walker
London	Wood

Nays—90

Adkins	Gibson
Alexander	Hamilton
Alsup	Hanna
Amos	Harbin
Baker	Hardin
Bates	Harper
Beckworth	Harrell
Bell	Harris of Archer
Bradbury	Harris of Dallas
Bridgers	Harris of Dickens
Broadfoot	Heflin
Brown	Herzik
Burton	Holland
Callan	Huddleston
Cleveland	Hyder
Davis of Haskell	James
Davison of Fisher	Johnson of Ellis
Davison	Jones of Angelina
of Eastland	Jones of Wise
Derden	Keefe
Dickison	Keith
Farmer	Kelt
Felty	King
Fielden	Langdon
Fox	Lankford
Fuchs	Lanning

Leonard	Rhodes
Leyendecker	Roark
Loggins	Ross
Lucas	Russell
Mann	Rutta
Mays	Settle
McDonald	Sewell
Metcalfe	Sharpe
Moffett	Simpson
Monkhouse	Skaggs
Morris	Smith of Hopkins
Newton	Stocks
Oliver	Talbert
Palmer	Tennant
Patterson of Mills	Tennyson
Prescott	Waggoner
Quinn	Weldon
Ragsdale	Westbrook
Reader	Winfree
Reed of Bowie	

Absent

Bradford	Jones of Falls
Cagle	Leath
England	Smith of Tarrant
Howard	Vale
Hull	Worley

Absent—Excused

Kern	Petsch
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Question then recurring on the motion to recess until 7:30 o'clock p. m., today, it was lost.

Question recurring on the motion to recess until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71

Alexander	Harris of Archer
Blankenship	Harris of Dallas
Boethel	Hartzog
Bond	Hoskins
Boyer	Hyder
Bridgers	Jackson
Brown	James
Burton	Johnson
Carssow	of Tarrant
Cathey	Jones of Atascosa
Cauthorn	Keefe
Davis of Haskell	Keith
Davisson	Kelt
of Eastland	Kenyon
Dean	Knetsch
Deglandon	Leonard
Dollins	Leyendecker
Felty	Little
Fuchs	Mann
Gibson	Mauritz
Graves	Mays
Hankamer	McConnell
Hanna	McCracken

McFarland	Rutta
McKinney	Settle
Metcalfe	Sewell
Morse	Smith
Nicholson	of Matagorda
Oliver	Stevenson
Palmer	Stinson
Patterson	Stocks
of Travis	Tarwater
Pope	Thornton
Quinn	Waggoner
Reader	Walker
Reed of Dallas	Westbrook
Riddle	Wood
Ross	

Nays—65

Adkins	Lanning
Alsup	Leath
Amos	Loggins
Baker	London
Bates	Lucas
Beckworth	McDonald
Bell	McKee
Bradbury	Moffett
Broadfoot	Monkhouse
Callan	Morris
Cleveland	Newton
Colquitt	Patterson of Mills
Derden	Powell
Dickison	Prescott
England	Ragsdale
Farmer	Reed of Bowie
Fielden	Rhodes
Fox	Roark
Hamilton	Russell
Harbin	Schuenemann
Hardin	Sharpe
Harper	Shell
Harrell	Simpson
Harris of Dickens	Skaggs
Herzik	Smith of Hopkins
Holland	Talbert
Huddleston	Tennant
Johnson of Ellis	Tennyson
Jones of Angelina	Thornberry
Jones of Wise	Weldon
King	Winfree
Langdon	Worley
Lankford	

Absent

Bradford	Howard
Cagle	Hull
Celaya	Jones of Falls
Davis of Jasper	Smith of Tarrant
Davison of Fisher	Vale
Heflin	

Absent—Excused

Kern	Petsch
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The House, accordingly, at 5:25 o'clock p. m., took recess until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Counties: House Bills Nos. 998 and 1057.

Liquor Traffic: House Bill No. 5.

REPORT OF THE COMMITTEE
ON ENGROSSED BILLS

Committee Room,

Austin, Texas, April 2, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 84, Appointing a committee each of three (3) Members to confer with the Land Commissioner, Executive Secretary of the Game, Fish, and Oyster Commission, the President of the State Board of Texas, to obtain the facts and information necessary to determine what the future policy of the State should be with reference to stopping or continuing its policy with reference to the leasing of said land and the drilling of said wells and to make report back to the Legislature of the findings and recommendations of such committee on or before April 20, 1937.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE
ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 86, Authorizing the Enrolling Clerk of the Senate to amend the caption of Senate Bill No. 240.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 359, "An Act giving to W. N. Smith, for himself, and as next friend of Carl Smith, minor, of Chambers County, Texas, consent of the Legislature to file and prosecute a suit against the State of Texas and/or the State Highway Commission in a Court of competent jurisdiction in order to determine what compensation, if any, he, the said W. N. Smith, as father of said Carl Smith, is entitled to receive by reason of injury sustained by said Carl Smith, minor, while an employee of the State Highway Commission; providing that the State and/or said Commission may appeal from said judgment as provided by law without executing any bond, and upon final judgment being recovered against the State and/or State Highway Commission, the same shall be paid out of the State Highway funds; providing that service in said cause shall be had by citing the Chairman of the Highway Commission and Attorney General, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, April 5, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 593, "An Act creating the office of Criminal District Attorney in all counties having a population of not less than seventy-five thousand and one (75,001) nor more than seventy-seven thousand, one hundred ((77,100), and not containing a city of more than forty thousand (40,000) inhabitants, as determined by the last preceding Federal Census, and in which counties there are one or more Judicial Districts, and in counties of this State having a population of not less than thirty thousand, nine hundred (30,900), and not more than thirty thousand, nine hundred and fifty (30,950) inhabitants, as determined by the last preceding Federal Census, and in which the County Attorney performs the duties of County Attorney and District Attorney, and

in which there is not now a District Attorney; providing that the present County Attorney in those counties shall qualify as Criminal District Attorney, remaining in office for the period such officer would have held his office as County Attorney had this Act not been passed; providing that such officer shall take the oath and give the bond required of District Attorneys by the Constitution and Laws of this State; providing that such Criminal District Attorney shall have and exercise all powers, duties, and privileges within such county as are by law conferred, or which may hereafter be conferred upon District and County Attorneys, and providing the compensation for such officer; providing for the appointment of assistants, deputies, and clerks; fixing their powers, duties, and compensation; providing for the election of a Criminal District Attorney in each county; providing this Act shall be cumulative of all other laws, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

FORTY-SEVENTH DAY

(Continued)

(Tuesday, April 6, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Calvert.

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Howard was granted leave of absence for today, on account of illness, on motion of Mr. Morse.

EXPRESSING CONDOLENCE TO THE SURVIVORS OF THE NEW LONDON, TEXAS, SCHOOL DISASTER

The Speaker laid before the House, and had read the following resolution, adopted by the Ninety-second General Assembly, Regular Session, 1937-1938, of the State of Ohio:

92nd GENERAL ASSEMBLY REGULAR SESSION 1937-1938

S. R. No. 64

Mr. Baumhart

A Resolution

Expressing condolence to the survivors of the New London, Texas, school disaster.

Whereas, The magnitude of the recent school disaster at New London, Texas, shocked the entire nation; and

Whereas, The brief and sorrow of the parents and survivors of this catastrophe is unparalleled in history; therefore, be it

Resolved, That the Senate of the Ohio General Assembly express their deep sympathy to the survivors of the New London school disaster; and, be it further

Resolved, That a copy of the resolution be forwarded by the Clerk of the Senate to the Governor of Texas, and to the Clerk of the Senate and House of the Texas Legislature.

Adopted by the Senate, March 25, 1937.

(Signed)

Dayton Matebelle, Clerk.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Mauritz:

H. B. No. 1063, A bill to be entitled "An Act declaring it unlawful to hunt, trap, shoot or kill any wild deer within the limits of Jackson and Wharton Counties, Texas, for a period of five years; providing a penalty for the violation of the provisions of this Act; repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Talbert:

H. B. No. 1070, A bill to be entitled "An Act declaring it unlawful to take, hunt, trap, shoot or kill any wild pheasant in Smith County, Texas, for a period of three years; prescribing penalty for the violation of the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.